

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MARK GOLDBERG,

1:17-cv-6024 (NLH) (JS)

Plaintiff,

MEMORANDUM OPINION & ORDER

v.

DAVID E ORTIZ, et al.,

Defendants.

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**APPEARANCES:**

Mark Goldberg  
PO Box 163  
Bronx, NY 10458

Plaintiff pro se

Craig Carpenito, United States Attorney  
Anne B. Taylor, Assistant United States Attorney  
Office of the U.S. Attorney  
District Of New Jersey  
401 Market Street, 4th Floor  
P.O. Box 2098  
Camden, NJ 08101

Attorneys for Defendants

**HILLMAN, District Judge**

WHEREAS, Defendants filed a motion for judgment on the pleadings or, in the alternative, for summary judgment, see ECF No. 45; and

WHEREAS, Magistrate Judge Schneider granted Plaintiff's motion for the appointment of pro bono counsel, see ECF No. 55; and

WHEREAS, no attorney has yet entered an appearance on Plaintiff's behalf; and

WHEREAS, the interests of justice require providing assigned counsel an opportunity to become familiar with the matter and file a response to the motion,

THEREFORE, IT IS on this 2nd day of October, 2020

ORDERED that motion for judgment on the pleadings or, in the alternative, for summary judgment, ECF No. 45, be, and the same hereby is, denied without prejudice; and it is further

ORDERED that Defendants may refile their motion upon the entry of Plaintiff's counsel's appearance; and it is finally

ORDERED that the Clerk shall serve a copy of this Order upon Plaintiff by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.